

09-03-04

IFW RCE
3625

THIS FORM IS BASED ON PTO/SB/30 (08-00)



REQUEST FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/549,370
Filing Date	April 13, 2000
First Named Inventor	Michael Brader-Araje
Group Art Unit	3625
Examiner Name	Matthew S. Gart
Attorney Docket Number	9144-5

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 13.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which was established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other: _____
- b. ☒ Enclosed
- i. ☐ Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Preliminary Amendment

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0220.
- i. ☒ RCE fee of \$770.00 required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee of \$110.00 (37 C.F.R. § 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of _____ enclosed to cover the RCE fee.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0220.

Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,
Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 20792

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Needham J. Boddie, II	Registration No. (Attorney/Agent)	40,519
Signature	<i>Needham J. Boddie II</i>	Date	September 2, 2004

CERTIFICATE OF EXPRESS MAILING

Express Mail Label Number: EV 473656093 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	Ban Younan	Date	September 2, 2004
Signature	<i>Ban Younan</i>		

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770.00 DA 01 FC-1801



Attorney's Docket No. 9144-5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Brader-Araje et al.

Confirmation No.: 8285

Serial No.: 09/549,370

Group Art Unit: 3625

Filed: April 13, 2000

Examiner: Gart, Matthew S.

For: **SYSTEMS, METHODS, AND COMPUTER PROGRAM PRODUCTS THAT
FACILITATE PARTICIPATION IN ONLINE AUCTIONS VIA AN
INTERMEDIARY WEB SITE**

Date: September 2, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Please enter the following Preliminary Amendment before examining the present application, which is a Request for Continued Examination (RCE) of Serial No. 09/549,370 filed April 13, 2000. Applicants provide the present Preliminary Amendment to address the issues raised in the Final Office Action ("Final Action") mailed May 3, 2004 and subsequent Advisory Action mailed August 12, 2004. Applicants provide the present Response pursuant to the rules stated in revised 37 C.F.R. 1.121 that became effective on July 30, 2003.